



# Weekly Briefing

**Poland political briefing:  
Jarosław Kaczyński returns to government,  
commission on Russian influence in Poland  
Konrad Rajca**


## China-CEE Institute

Kiadó: Kína-KKE Intézet Nonprofit Kft.

Szerkesztésért felelős személy: Ju Weiwei

Kiadásért felelős személy: Feng Zhongping

 1052 Budapest Petőfi Sándor utca 11.

 +36 1 5858 690

 [office@china-cee.eu](mailto:office@china-cee.eu)

 [china-cee.eu](http://china-cee.eu)

# **Jarosław Kaczyński returns to government, commission on Russian influence in Poland**

## **Summary**

*In June, the leader of Poland's ruling camp, Law and Justice (PiS) Chairman Jaroslaw Kaczynski returned to the government. He will be the only deputy prime minister in Prime Minister Mateusz Morawiecki's cabinet. Ministers Mariusz Blaszczak (Minister of Defense), Jacek Sasin (Minister of State Assets), Piotr Gliński (Minister of Culture and National Heritage) and Henryk Kowalczyk (Minister without portfolio) resigned as Deputy Prime Ministers. They will, however, remain as ministers. The decision has to do with the upcoming parliamentary elections. Kaczynski's presence in the government is a response to friction in the government camp and is aimed at giving the party a stronger grip on its electoral strategy ahead of the upcoming elections.*

President Andrzej Duda signed a law establishing a parliamentary commission to investigate Russian influence in Poland between 2007 and 2022. Among other things, the commission will be able to deprive an accused person of the right to hold public office, related to the management of public funds, for up to 10 years. The establishment of the commission has sparked protests from the opposition, which believes it is directed against the opposition leader, former Prime Minister Donald Tusk. The European Commission and the U.S. State Department have also expressed concern over the commission's appointment. In the face of these voices, the President Andrzej Duda has filed an amendment to the law on the commission significantly easing its powers. Those in power are concerned that strong public criticism of the commission's establishment could critically affect their electoral support.

## **Introduction**

I very sincerely congratulate Mr. President, Prime Minister Jaroslaw Kaczynski on this appointment and thank him for rejoining the government," President Andrzej Duda said while appointing Law and Justice (PiS) President Jaroslaw Kaczynski as deputy prime minister. Kaczynski was deputy prime minister in Mateusz Morawiecki's government and chairman of

the Council of Ministers Committee on National Security and Defense Affairs between October 2020 and June 2022. He is now back in the government to concentrate political and administrative power in his and the prime minister's hands ahead of the fall parliamentary elections. <sup>i</sup>

### **The President: it's strengthening the government**

The President Andrzej Duda, in handing the nomination to Jarosław Kaczyński, recalled that during his previous tenure as deputy prime minister he was responsible for security issues and was the main author of the law on the defense of the Republic. - Strengthening this very scope of the Council of Ministers, which is to take care of security issues, is of fundamental and absolute importance at this time. Hence, this decision to return to the government as Deputy Prime Minister Mr. Jarosław Kaczyński is a decision, from the point of view of the security of the Polish state, in my personal conviction as President of the Republic, absolutely correct and necessary. Thank you for that," said President Andrzej Duda.

In turn, Prime Minister Mateusz Morawiecki said, Jarosław Kaczyński is not entering the government this time in order to strongly expand any particular area. As he added, the priority for the new deputy prime minister is to be "all the programmatic issues that we have already announced, that we are working on and that we will present in the coming months before the elections."<sup>ii</sup> He expressed satisfaction with Jarosław Kaczyński's return to the government, because, he said, "first of all, this program that we have, the program of the Law and Justice Party, in a quick way should be translated into reality." - The head of the camp, the leader of the entire Law and Justice camp will guarantee that this will happen, that the focus on our priorities will be unconditional and absolute, Morawiecki argued.

### **Kaczyński about his return to the government**

- Coordination on certain issues and security issues," Law and Justice Chairman Jarosław Kaczyński said on TVP Info. This is how he referred to his new role.<sup>iii</sup> - Some of my colleagues in the leadership thought this would be good for the party during this period. The upcoming elections are the most important since 1989. You have to take responsibility for certain things, which is why I decided to be in the government before the elections," he stressed.

The new deputy prime minister also announced what he will do in the government, what role he will play in it. He indicated that he will certainly focus on issues related to security in the broadest sense. - That's what I dealt with as deputy prime minister, but also issues related to political matters, because politics is accompanied by all sorts of tensions and you need to be able to quickly resolve them (...) matters that are already purely electoral, because, after all, every government takes part in elections, that's how it is in a democracy, Kaczyński said. - And ours is or will be taking part, too, and here I can somehow, I hope at least, add my brick to the victory, because we are fighting for victory, for an independent majority," the Law and Justice chairman added. To the remark that in the government he will be in charge of coordinating its work, he stressed that it is a matter of "coordination in certain matters, of course."

### **Commission to investigate Russian influence in Poland**

The President, Andrzej Duda, on 29th of May signed a law establishing a parliamentary commission to investigate Russian influence in Poland between 2007 and 2022 (i.e., covering the period of the opposition government as well as the current government camp). At the same time, he referred it to the Constitutional Court to examine its compliance with the Constitution, which, however, does not block the law from taking effect. Among other things, the commission will be able to deprive an accused person of the right to hold public office related to the management of public funds for up to 10 years. The commission is to have both investigative, or prosecutorial, accusatory and judicial powers. It will be able to summon anyone before it. It is to consist of nine members appointed and dismissed by parliament. All findings, or documents, of the commission are to be secret - although its meetings and quasi-judgments will already be public.

The commission under the law must publish its report on exactly 17th September. That's the day of the 84th anniversary of the Soviet aggression against Poland in 1939, shortly before the finale of the election campaign ahead of the parliamentary elections likely to take place in mid-October. The opposition has already announced that it will not participate in its work.<sup>iv</sup>

### **Strong opposition from the public and abroad**

The establishment of the commission has sparked protests from the opposition and some legal circles, who believe its creation is incompatible with the Polish Constitution and also

directed against former Prime Minister Donald Tusk, leader of the largest opposition party Civic Platform. In their view, it is political in nature, as indicated by its establishment several months before the parliamentary elections scheduled for October. The appointment of the commission has also been criticized by the European Commission and the US State Department. The current ruling United Right camp has widely criticized the policies of former Prime Minister Donald Tusk's 2007-2014 government, describing them as pro-Russian.

After strong protests against the commission's establishment, both at home and abroad, a few days after the law was signed and went into effect, the President Duda proposed an amendment. It is intended to reduce the commission's powers so that it cannot issue sentences banning people from holding public office, and appeals against the commission's decisions are to be simpler. Also, no politicians will be allowed to sit on it, only experts.

The ruling party probably also recognized that the negative public reaction to the establishment of the commission could affect the Law and Justice's electoral outcome in the upcoming parliamentary elections. More than half of Poles believe that a commission to investigate Russian influence could determine the outcome of the elections.<sup>v</sup> This is one of the conclusions of the latest poll of United Surveys for the DGP newspaper and RMF FM radio. When asked whether its findings would be credible, only 35 percent answered in the affirmative; 54 percent thought they would not. The harsh response from the United States may also have played a large role in the ruling party's decision.

### **Criticism from the US and the European Commission**

The U.S. State Department has issued a statement on the establishment of the commission. The U.S. diplomacy ministry expressed concern that the legislation passed could be misused to interfere with free elections in Poland. <sup>vi</sup> The U.S. government is concerned about the adoption by the Polish government of new legislation that could be misused to interfere with free and fair elections in Poland. - We share the concerns expressed by many observers that this law, which creates a commission to investigate Russian influence, could be used to block the candidacies of opposition politicians without due process of law." - The diplomatic ministry spokesman wrote in a statement. In doing so, he called on the government in Warsaw to ensure that the commission is not used to restrict choice for voters or "abused in a way that could affect the perceived legitimacy of elections." Earlier, US Ambassador to Poland Mark Brzezinski made a similar comment.

The European Commission, in turn, has opened proceedings against Poland over the commission's appointment. - The college decided to initiate infringement proceedings by sending a letter of formal notice to the Polish authorities, European Commission Deputy Director Valdis Dombrovskis said. <sup>vii</sup> Polish EU Affairs Minister Szymon Szynkowski vel Sęk commented on the matter, saying, "Our goal is clear: to investigate Russia's influence in Poland," and any arguments will be "calmly passed on to the Commission."

The presidential amendment to the law, "easing" the power of the committee, has already been approved by the Sejm - the lower house of the Polish parliament, for it to come into force it still needs the approval of the Senate (where the opposition has a majority, but the Senate's objection can be overruled by the Sejm), as well as the signature of the president himself.

### **Conclusion**

The return of the Law and Justice Chairman Jaroslaw Kaczynski to the government is a sign that the government camp is mobilizing for the upcoming parliamentary elections. It is a response to the stagnation in the Law and Justice election campaign and conflicts within the party's election staff, as well as the ruling camp. The party maintains the steady support of about one-third of voters, despite many election promises, which, with the growing support of opposition parties, may not ensure the government a third term of independent rule under the current United Right formula. It will be possible that the coalition will have to be expanded to include another grouping, and that the opposition will take over.

The establishment of a commission to investigate Russian influence in Poland has provoked opposition from a large part of Polish public opinion, which sees the scope of the commission and the timing of its establishment as politically motivated and directed against the opposition. Critical opinions have also come from abroad. The government justifies its establishment with the desire to investigate political activities favorable to the Russian lobby in Poland. Massive criticism of the commission's establishment and the possible negative impact of its establishment on the outcome of the parliamentary elections may slow down work on it, reformulate its operation or "put it in the closet."

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- i The RMF FM Radio Portal [https://www.rmfm24.pl/polityka/news-jaroslaw-kaczynski-znow-w-rzadzie-oficjalnie-powolany,nId,6854808#crp\\_state=1](https://www.rmfm24.pl/polityka/news-jaroslaw-kaczynski-znow-w-rzadzie-oficjalnie-powolany,nId,6854808#crp_state=1)
  - ii The TVN24 Television Portal <https://tvn24.pl/polska/zmiany-w-rzadzie-wraca-jaroslaw-kaczynski-czym-sie-zajmie-premier-mateusz-morawiecki-odpowiada-7186196>
  - iii Information portal i.pl <https://i.pl/jaroslaw-kaczynski-tlumaczy-decyzje-o-wejsciu-do-rzadu-trzeba-wziac-odpowiedzialnosc/ar/c1-17658253>
  - iv Information portal Onet.pl <https://wiadomosci.onet.pl/kraj/komisja-do-spraw-rosyjskich-wplywow-polacy-podzieleni-sondaz/6kw3xqy>
  - v Portal of the daily newspaper Gazeta Prawna <https://www.gazetaprawna.pl/wiadomosci/kraj/artykuly/8729051,lex-tusk-komisja-badanie-rosyjskich-wplywow-sondaz-dgp-rmf-fm.html>
  - vi The Polish Radio portal <https://polskieradio24.pl/5/1223/artykul/3178805,powstanie-komisja-ds-badania-rosyjskich-wplywow-jest-reakcja-usa>
  - vii Polsat TV portal <https://www.polsatnews.pl/wiadomosc/2023-06-07/komisja-ds-badania-wplywow-rosyjskich-media-komisja-europejska-wszczyna-procedure-naruszeniowa/>